

IN THE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**

MAY 6 2008 *aw*  
May 6, 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA ex rel.  
JOSEPH MAX,  
Petitioner,

No. 08 C 0616

vs.

KEVIN GILSON, Warden,  
Respondent.

The Honorable  
Matthew F. Kennelly,  
Judge Presiding.

MOTION FOR EXTENSION OF TIME  
TO FILE OR OTHERWISE PLEAD

Before this Honorable Court comes now pro-se petitioner, Joseph Max, seeking ORDER for AN Extension of Time to file or Otherwise Plead in response to Respondent's Motion To Dismiss; filed by said Respondent on April 30, 2008. And, AS REASONS therefore petitioner offers the following:

- 1) Petitioner is not a lawyer but a pro-se litigant and as such is only vaguely familiar in jurisprudence and the mechanics of law.
- 2.) The amount of time allotted an inmate to

visit the institutional law library, for research purposes, is restricted because of security concerns, the actual hours the library is open and, the number of inmates requesting the opportunity to attend.

3.) That the respondent has raised matters of law that petitioner was not aware of and he must be accorded the time necessary to research such matters in order to respond appropriately in his defense.

4.) That this request is not made in an attempt to delay these proceedings as petitioner is eager to present argument to support the claims he has made on the issues presented in his petition for Habeas Corpus relief.

5.) That petitioner requests this Honorable Court grant him an Extension of Time up to and including the date of June 30, 2008.

Respectfully Submitted,

Mr. Joseph Max

Joseph MAX

Reg. No. N21823

P.O. Box 1900

CAUTION, IL. 61520

## AFFIDAVIT

I, Mr. Joseph Max, being duly sworn do repose and state that the attached Motion is true and correct in substance and fact to the best of my knowledge.

Subscribed and sworn to before me this  
29<sup>th</sup> day of April, 2008.

Don R. Beards  
Notary Public  
"OFFICIAL SEAL"  
Notary Public, State of Illinois  
My Commission Exp. 08/22/2008

8/22/08  
Expiration of Commission

/s/ Mr. Joseph Max  
Petitioner  
# N-21823  
Illinois River Correctional Center  
P.O. Box 1900  
Canton, Illinois 61520

## NOTICE OF FILING

TO: Karl R. Tiebel TO: Michael W. Dobbins TO: \_\_\_\_\_  
Assistant Attorney General Clerk of the U.S.  
100 W. Randolph St. 12<sup>th</sup> FL. District Court  
Chicago, IL, 60601 219 South Dearborn Str.  
Chicago, IL, 60604

Please take notice on April 25, 2008, I filed with Clerk of Northern  
District Court the attached Motion, Three (3)  
copy(ies) of which are served on you.

/s/ Mr. Joseph Max

## AFFIDAVIT OF SERVICE

STATE OF ILLINOIS )

COUNTY OF )

I, Mr. Joseph Max, being sworn state that I served the attached notice on the above named person(s) by placing a true and correct copy in an envelope(s), addressed as shown above, with the proper U.S. postage on each and deposited the envelope(s) in the U.S. Mail at Canton, Illinois, 61520, on or about the hour of 11<sup>th</sup> AM on April 25, 2008.

/s/ Mr. Joseph Max